

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-21 (cancelled)

Claim 22 (currently amended): An isolated *Listeria monocytogenes* bacterium which is

(a) defective with respect to internalin B, such that the bacterium is attenuated both for entry into non-phagocytic cells relative to wild type, and

(b) defective with respect to ActA, such that the bacterium is attenuated for cell-to-cell spread relative to wild type,

wherein the non-phagocytic cells are hepatocytes.

Claims 23-30 (cancelled)

Claim 31 (currently amended): The attenuated *Listeria* bacterium of claim ~~30~~22, which comprises at least one mutation in both *actA* and *inlB*, wherein the mutation in *actA* attenuates the bacterium for cell-to-cell spread relative to wild type and the mutation in *inlB* attenuates the bacterium for entry into the non-phagocytic cells relative to wild type.

Claims 32-37 (cancelled)

Claim 38 (previously presented): A composition comprising (a) the attenuated *Listeria* bacterium of claim 22, and (b) an adjuvant.

Claim 39 (original): A method of inducing an immune response in a host to an antigen comprising administering to the host an effective amount of a composition comprising the attenuated *Listeria* bacterium of claim 22, wherein the attenuated *Listeria* bacterium comprises a nucleic acid encoding the antigen.

Claim 40 (previously presented): A method of treating a disease in a host, comprising administering to the host an effective amount of a composition comprising the attenuated *Listeria* bacterium of claim 22.

Claim 41 (previously presented): An isolated professional antigen-presenting cell comprising the attenuated *Listeria* bacterium of claim 22.

Claims 42-61 (cancelled)

Claim 62 (currently amended): The method of claim [[61]]39, wherein the bacterium comprises at least one mutation in *inlB* that results in the attenuation of the bacterium for ~~cell-to-cell spread~~ entry into the non-phagocytic cells, and comprises at least one mutation in *actA* that results in the attenuation of the bacterium for cell-to-cell spread.

Claims 63-69 (cancelled)

Claim 70 (currently amended): The method of claim [[69]]40, wherein the bacterium comprises at least one mutation in *inlB* that results in the attenuation of the bacterium for ~~cell-to-cell spread~~ entry into the non-phagocytic cells, and comprises at least one mutation in *actA* that results in the attenuation of the bacterium for cell-to-cell spread.

Claim 71-75 (cancelled)

Claim 76 (previously presented): The method of claim 40, wherein the disease is cancer.

Claim 77 (previously presented). A method of providing protection against a disease in a host, comprising administering to the host an effective amount of a composition comprising the attenuated *Listeria* bacterium of claim 22.

Claim 78 (previously presented): The method of claim 77, wherein the bacterium comprises at least one mutation in the *inlB* gene that attenuates the bacterium for entry into the non-phagocytic cells

relative to wild type, and wherein the bacterium comprises at least one mutation in the *actA* gene that attenuates the bacterium for cell-to-cell spread relative to wild type.

Claims 79-80 (cancelled)

Claim 81 (previously presented): The method of claim 77, wherein the disease is an infectious disease.

Claim 82 (previously presented): The method of claim 77, wherein the disease is cancer.

Claim 83 (previously presented): A pharmaceutical composition comprising (a) the attenuated *Listeria* bacterium of claim 22, and (b) a pharmaceutically acceptable carrier.

Claims 84-88 (cancelled)

Claim 89 (new): The attenuated *Listeria* bacterium of claim 31, wherein the *actA* and *inlB* genes have been deleted.

Claim 90 (new): The method of claim 40, wherein the disease is an infectious disease.

Claim 91 (new): An isolated *Listeria monocytogenes* bacterium which is

(a) defective with respect to internalin B, such that the bacterium is attenuated for entry into non-phagocytic cells relative to wild type, wherein the non-phagocytic cells are hepatocytes, and

(b) defective with respect to ActA, such that the bacterium is attenuated for cell-to-cell spread relative to wild type,

wherein the bacterium comprises a nucleic acid molecule encoding a non-Listerial antigen.

Claim 92 (new): The attenuated *Listeria* bacterium of claim 91, which comprises at least one mutation in both *actA* and *inlB*, wherein the mutation in *actA* attenuates the bacterium for cell-to-

cell spread relative to wild type and the mutation in *inlB* attenuates the bacterium for entry into the non-phagocytic cells relative to wild type.

Claim 93 (new): The attenuated *Listeria* bacterium of claim 91, wherein the *actA* and *inlB* genes have been deleted.

Claim 94 (new): The attenuated *Listeria* bacterium of claim 91, wherein the non-Listerial antigen is a tumor-associated antigen or is derived from a tumor-associated antigen.

Claim 95 (new): The attenuated *Listeria* bacterium of claim 94, wherein the antigen is a tumor-associated antigen or derived from a tumor-associated antigen selected from the group consisting of mesothelin, sp17, PAGE-4, gp-100, PSMA, K-ras, TARP, proteinase 3, WT-1, NY-ESO-1, CEA, Her-2, and SPAS-1.

Claim 96 (new): The attenuated *Listeria* bacterium of claim 91, wherein the non-Listerial antigen is an infectious disease antigen or is derived from an infectious disease antigen.

Claim 97 (new): The attenuated *Listeria* bacterium of claim 96, wherein the non-Listerial antigen is a hepatitis virus antigen.

Claim 98 (new): A method of inducing an immune response in a host to a non-Listerial antigen comprising administering to the host an effective amount of a composition comprising the attenuated *Listeria* bacterium of claim 91.

Claim 99 (new): A method of treating a disease in a host, comprising administering to the host an effective amount of a composition comprising the attenuated *Listeria* bacterium of claim 91.

Claim 100 (new): A pharmaceutical composition comprising (a) the attenuated *Listeria* bacterium of claim 91, and (b) a pharmaceutically acceptable carrier.

Claim 101 (new): An isolated professional antigen-presenting cell comprising the attenuated *Listeria* bacterium of claim 91.

Claim 102 (new): A pharmaceutical composition comprising:

(1) an amount of *Listeria monocytogenes* bacteria effective to induce an immune response in a human, wherein the bacteria are

(a) defective with respect to internalin B, such that the bacteria are attenuated for entry into non-phagocytic cells relative to wild type, and

(b) defective with respect to ActA, such that the bacteria are attenuated for cell-to-cell spread relative to wild type,

wherein the non-phagocytic cells are hepatocytes; and

(2) a pharmaceutically acceptable carrier.

Claim 103 (new): The composition of claim 102, wherein the immune response is an immune response to a non-Listerial antigen.

Claim 104 (new): The method of claim 81, wherein the infectious disease is a non-Listerial infectious disease.

Claim 105 (new): The method of claim 90, wherein the infectious disease is a non-Listerial infectious disease.

Claim 106 (new): The method of claim 22, wherein the bacterium is not defective with respect to internalin A.

Claim 107 (new): The method of claim 103, wherein the bacterium is not defective with respect to internalin A.

Claim 108 (new): A method of providing protection against a disease in a host, comprising administering to the host an effective amount of a composition comprising the attenuated *Listeria* bacterium of claim 91.

Claim 109 (new): The method of claim 99, wherein the disease is a cancer.

Claim 110 (new): The method of claim 99, wherein the disease is an infectious disease.